

KIRBY LANE NORTH SANITARY SEWER
SPECIAL ASSESSMENT DISTRICT

Full Environmental Assessment Form with Attachments,
LWRP Coastal Assessment Form and
Application for Determination of LWRP Consistency

City of Rye, New York
1051 Boston Post Road
Rye, New York 10580

Project Sponsor and Lead Agency:

Rye City Council

Prepared by:

Chas. H. Sells, Inc.

December 10, 2004

TABLE of CONTENTS

Full Environmental Assessment Form with Attachments, LWRP Coastal Assessment Form and Application for Determination of LWRP Consistency

Full Environmental Assessment

PART 1 – Project Information	1
PART 2 – Project Impacts and Their Magnitude	11
PART 3 – Evaluation of the Importance of Impacts with Attachments	21

PART 3 Attachments

APPENDIX A – LWRP Coastal Consistency Form

APPENDIX B – Application for Determination of LWRP Consistency

FIGURE – Project Area

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:



Part 1



Part 2



Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☒ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Kirby Lane North Sewer Special Assessment District

Name of Action

Rye City Council

Name of Lead Agency

Mayor Steve Otis

Mayor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Susan K. Janssen
Signature of Preparer (If different from responsible officer)

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Kirby Lane North Sewer Special Assessment District

Location of Action (include Street Address, Municipality and County)

Kirby Lane North/Grace Church Street, Rye, NY, Westchester County

Name of Applicant/Sponsor City of Rye

Address 1051 Boston Post Road

City / PO Rye State NY Zip Code 10580

Business Telephone 914-967-7676

Name of Owner (if different) _____

Address _____

City / PO _____ State _____ Zip Code _____

Business Telephone _____

Description of Action:

The installation of 2,800 linear feet of 8" gravity sewer and 1,600 linear feet of 4" force main to provide public sewer service to thirty (30) homes along Kirby Lane North and Grace Church Street. As part of this project, a 6" water main along Grace Church Street may be abandoned and removed to make room for the 8" gravity sewer. There is also a proposal to extend the existing 8" water main that runs along a portion of Kirby Lane North to provide service to twelve (12) residences, which currently use wells for potable water supply. Installation of sewer laterals and water service connections from existing residence to the proposed sewer within the entire project area and water line on North Kirby Lane will be the responsibility of private property owners, which may choose to defer such installation to a later date. After installation of the water main and all appurtenances, Kirby Lane North and portions of Grace Church Street will be resurfaced.

Further detailed descriptions of the work and its potential impacts are contained in the Part 3 Attachment.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: ☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Other _____

2. Total acreage of project area: 3.1 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>0</u> acres	<u>0</u> acres
Forested	<u>0</u> acres	<u>0</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	<u>0</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>0.1</u> acres	<u>0.1</u> acres
Water Surface Area	<u>0</u> acres	<u>0</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>1.5</u> acres	<u>1.5</u> acres
Other (Indicate type) <u>Residential lawns/properties within ROW</u>	<u>1.5</u> acres	<u>1.5</u> acres

3. What is predominant soil type(s) on project site?

- a. Soil drainage: ☒ Well drained 80 % of site ☒ Moderately well drained 20 % of site.
☐ Poorly drained _____ % of site

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☒ Yes ☐ No

- a. What is depth to bedrock 2-18 (in feet)

5. Approximate percentage of proposed project site with slopes:

- ☒ 0-10% 65 % ☒ 10- 15% 35 % ☒ 15% or greater 0 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? ☐ Yes ☒ No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No

8. What is the depth of the water table? TBD (in feet)

9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☐ Yes ☒ No

According to:

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

☐ Yes ☒ No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

☐ Yes ☒ No

If yes, explain:

14. Does the present site include scenic views known to be important to the community? ☐ Yes ☒ No

15. Streams within or contiguous to project area:

Yes.

a. Name of Stream and name of River to which it is tributary

Unidentified intermittent stream

16. Lakes, ponds, wetland areas within or contiguous to project area:

There appears to be a wetland, within the project area located in the vicinity of the low point of Kirby Lane North. This area of the project will contain the pump station as well as associated sewer piping. These facilities may lie within the wetland or its buffer. Their exact proximity to the wetland will be confirmed as part of the final design phase of the project. Additionally, the rear portion of four of the properties along Grace Church, which will be served by the new sewer about a body of water called The Mill Pond, a tidal pool area. Temporary disturbance to this buffer would be limited to the extension of sewer laterals to individual residences.

b. Size (in acres):

17. Is the site served by existing public utilities? ☒ Yes ☐ No
- a. If YES, does sufficient capacity exist to allow connection? ☒ Yes ☐ No
- b. If YES, will improvements be necessary to allow connection? ☐ Yes ☒ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

- a. Total contiguous acreage owned or controlled by project sponsor: 3.1 acres.
- b. Project acreage to be developed: 3.1 acres initially; 3.1 acres ultimately.
- c. Project acreage to remain undeveloped: 0 acres.
- d. Length of project, in miles: 0.6 (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. N/A %
- f. Number of off-street parking spaces existing N/A ; proposed N/A
- g. Maximum vehicular trips generated per hour: N/A (upon completion of project)?
- h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Ultimately	<u> </u>	<u> </u>	<u> </u>	<u> </u>

- i. Dimensions (in feet) of largest proposed structure: at grade height; 20 width; 20 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 3,200 ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 700 tons/cubic yards.
3. Will disturbed areas be reclaimed ☒ Yes ☐ No ☐ N/A

a. If yes, for what intended purpose is the site being reclaimed?

The site, being the project area, which is for all practical purposes the right-of-way, will be reclaimed after the installation of the proposed sewer line and appurtenances to restore use by public as a transportation route.

- b. Will topsoil be stockpiled for reclamation? ☐ Yes ☒ No
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☒ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.1 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

☐ Yes ☒ No

6. If single phase project: Anticipated period of construction: 18 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated _____ (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☒ No

8. Will blasting occur during construction? ☒ Yes ☐ No

9. Number of jobs generated: during construction 20; after project is complete

10. Number of jobs eliminated by this project 0.

11. Will project require relocation of any projects or facilities? ☒ Yes ☐ No

If yes, explain:

An existing 6" water main that runs along Grace Church Street is planned to be taken out of service within the project area. Residences will be reconnected to an adjacent existing 12" water main.

The existing 12" water main has sufficient capacity to accommodate the abandonment of the 6" water main.

12. Is surface liquid waste disposal involved? ☐ Yes ☒ No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No

16. Will the project generate solid waste? ☐ Yes ☒ No

a. If yes, what is the amount per month? _____ tons

b. If yes, will an existing solid waste facility be used? ☐ Yes ☒ No

c. If yes, give name _____; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? ☐ Yes ☒ No

19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No

20. Will project produce operating noise exceeding the local ambient noise levels? ☒ Yes ☐ No (rock removal during construction)

21. Will project result in an increase in energy use? ☐ Yes ☒ No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity _____ gallons/minute.

23. Total anticipated water usage per day _____N/A_____ gallons/day.

24. Does project involve Local, State or Federal funding? ☒ Yes ☐ No

If yes, explain:

Possible EFC Funding from New York State.

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes	SEQRA	12/15/04
	<input type="checkbox"/> No	Special Assess. District	
		LWRP, Wetland	12/15/04
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes	LWRP, Wetlands	12/15/04
	<input type="checkbox"/> No		
City, Town Zoning Board	<input type="checkbox"/> Yes		
	<input checked="" type="checkbox"/> No		
City, County Health Department	<input checked="" type="checkbox"/> Yes	Sewer System	June 2005
	<input type="checkbox"/> No	Water Main	June 2005
Other Local Agencies	<input type="checkbox"/> Yes		
	<input checked="" type="checkbox"/> No		
Other Regional Agencies	<input type="checkbox"/> Yes		
	<input checked="" type="checkbox"/> No		
State Agencies	<input checked="" type="checkbox"/> Yes	Possible EFC Funding	
	<input type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes		
	<input checked="" type="checkbox"/> No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☐ Yes ☒ No

If Yes, indicate decision required:

<input type="checkbox"/> Zoning amendment	<input type="checkbox"/> Zoning variance	<input type="checkbox"/> New/revision of master plan	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Site plan	<input type="checkbox"/> Special use permit	<input type="checkbox"/> Resource management plan	<input type="checkbox"/> Other

2. What is the zoning classification(s) of the site?

R-1 (single family)

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N/A

4. What is the proposed zoning of the site?

Same

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

Single family residential

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? ☒ Yes ☐ No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

☐ Yes ☒ No

- a. If yes, is existing capacity sufficient to handle projected demand?

☐ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels?

☐ Yes ☒ No

- a. If yes, is the existing road network adequate to handle the additional traffic.

☐ Yes ☐ No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Susan K. Fasnacht, PE

Date 12/8/04

Signature

Susan K. Fasnacht

Title Vice President, Chas. H. Sells, Inc. - Preparer

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- ! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO ☐ YES ☒

Examples that would apply to column 2

- | | | | | |
|--|-------------------------------------|--------------------------|------------------------------|-----------------------------|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|---|-------------------------------------|-----------------------------------|--|
| • Construction or expansion of a sanitary landfill. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

☒ NO ☐ YES

- | | 1
Small to
Moderate
Impact | 2
Potential
Large
Impact | 3
Can Impact Be
Mitigated by
Project Change |
|------------------------|-------------------------------------|-----------------------------------|--|
| • Specific land forms: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • Developable area of site contains a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Dredging more than 100 cubic yards of material from channel of a protected stream. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Extension of utility distribution facilities through a protected water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated freshwater or tidal wetland. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

4. Will Proposed Action affect any non-protected existing or new body of water?

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|--|-------------------------------------|--------------------------|--|
| • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction of a body of water that exceeds 10 acres of surface area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Temporary disturbance to wetland and/or 100 foot adjacent area (buffer).

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
5. Will Proposed Action affect surface or groundwater quality or quantity?			
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
Examples that would apply to column 2			
• Proposed Action will require a discharge permit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction or operation causing any contamination of a water supply system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will adversely affect groundwater.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action would use water in excess of 20,000 gallons per day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will allow residential uses in areas without water and/or sewer services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<div style="border: 1px solid black; height: 50px; width: 100%;"></div>			

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AIR

7. Will Proposed Action affect air quality?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|---|--------------------------|--------------------------|--|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

☒ NO ☐ YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

☒ NO ☐ YES

Examples that would apply to column 2

• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction activity would excavate or compact the soil profile of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<div></div>			

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

☒ NO ☐ YES

Examples that would apply to column 2

• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<div></div>			

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

☒ NO ☐ YES

Examples that would apply to column 2

• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Any impact to an archaeological site or fossil bed located within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

☒ NO ☐ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • The permanent foreclosure of a future recreational opportunity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • A major reduction of an open space important to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

--	--	--	--

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

☒ NO ☐ YES

List the environmental characteristics that caused the designation of the CEA.

--	--	--	--

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • Proposed Action to locate within the CEA? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quantity of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quality of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will impact the use, function or enjoyment of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

--	--	--	--

1
Small to
Moderate
Impact

2
Potential
Large
Impact

3
Can Impact Be
Mitigated by
Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☐ NO ☒ YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts:

☒
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☒ NO ☐ YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts:

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☐ NO ☒ YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts:

☐
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☒
☐
☐

Yes

☐

No

☐
☐
☐

Yes

☐

No

☒
☐
☐

Yes

☐

No

Blasting and/or chipping of rock within 200 feet of homes is anticipated.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

☒ NO ☐ YES

- | | | | |
|--|--------------------------|--------------------------|--|
| • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

☐ NO ☒ YES

Examples that would apply to column 2

- | | | | |
|---|--------------------------|--------------------------|--|
| • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will conflict with officially adopted plans or goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will cause a change in the density of land use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Development will create a demand for additional community services (e.g. schools, police and fire, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Potential redevelopment of existing residences for single-family use.

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

☒ NO ☐ YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.

See PART 3 Attachment

PART 3 ATTACHMENTS

EVALUATION OF THE IMPORTANCE OF IMPACTS

Kirby Lane North Sanitary Sewer Special Assessment District City of Rye, New York

Project Description

The proposed action involves the creation of a special assessment district to fund a sewer project within the City of Rye. The project includes the installation of gravity and forced sewer mains on Kirby Lane North and Grace Church Street as well as a mainline sewer pumping station on Kirby Lane North. A preliminary layout design was prepared by a consultant with the assistance and input of the City of Rye engineering and planning departments. There has also been extensive public input which is reflected in the design.

Currently there are two (2) alternative designs for the portion of proposed sewer along Grace Church Street. The first alternative proposes gravity and force main sewers through private property along the west side of Grace Church Street. This route layout would also require the acquisition of both temporary and permanent easements.

The second alternative design along Grace Church Street proposes gravity and force main sewers installed within the Grace Church Street right-of-way. To avoid interference with the existing 6" water main that runs along the west side of Grace Church Street, the existing 6" water main would be abandoned and removed (within the project limits). The proposed sewers would then be placed in the trench that once carried the 6" water main. The residences that are connected to the abandoned portion of the 6" water main would be re-connected to an existing 12" water main that runs along the east side of Grace Church Street. This design does not require the acquisition of easements.

At this time, the viability of the second design option is dependent upon approvals from both Aquarion Water Company (the owner of the water system) and the Westchester County Department of Health. These approvals will be sought as part of the final design phase of the project.

A proposed mainline sewer pumping station located at the low point on Kirby Lane North will be utilized to force effluent, which collects from the gravity sewer system up along either of the two proposed design routes as described above, to an existing receiving sewer manhole on Grace Church Street. The existing receiving sewer manhole is located approximately 200 feet to the east of the Forest Avenue intersection.

Kirby Lane North Sanitary Sewer Special Assessment District
Full Environmental Assessment
Part 3 Attachment

There is also a proposal to extend the existing 8" water main that runs along a portion of Kirby Lane North and provides service to two of the fourteen (14) residences on Kirby Lane North. As part of this project, the existing 8" water main would be extended up and along Kirby Lane North to the remaining twelve (12) residences, which could then connect to the extended 8" water main. These 12 residences currently use wells for potable water supply.

Negotiations are currently underway to determine what percentage of the cost homeowners can expect to burden. At this time, Aquarion is not funding or bearing any of the cost to install the 8" water main. Depending upon the outcome off the negotiations with Aquarion, the inclusion of the extension of the 8" water main into the project will be the sole decision and financial responsibility of the 12 residences on Kirby Lane North.

In addition to the sewer and water mains, service connections to the individual houses will ultimately be installed. The installation of both the sewer laterals for all homes within the special assessment district and water service lines to the 12 residences on Kirby Lane North will be the responsibility of the individual property owners. Stubs, however for both the house sewer and water connections to the front property lines (right-of-way line) will be provided as part of the installation work for the sewer and water mains. In some instances the service lines may be located within the 100 foot wetland buffer. A reasonable standard of care shall be adhered to during their construction to minimize the disruption to the wetland buffer and restoration will take place upon completion of the work.

Involved Agencies

The City of Rye Council is the Lead Agency for the proposed action, and is responsible for the approval of a resolution authorizing the creation of a special assessment district to fund the sewer improvements and a coastal consistency determination pursuant to the City's Local Waterfront Revitalization Program (LWRP). The Rye City Planning Commission would need to provide an advisory recommendation with respect to the City Council's coastal consistency determination and possibly wetlands and watercourse permit approval. The City's Coastal Zone only applies to the nine properties within the proposed special assessment district located on the south/east side of Grace Church Street. Approval from the Westchester County Department of Health and Aquarion Water Company would also be required.

A special assessment district has been created to assess the affected properties and fund the proposed sewer project.

Evaluation of the Importance of Impacts

Because the project involves the installation of a gravity based sewer, the depth of the sewer is based upon the first floor elevations of the respective residences. That is, the

Kirby Lane North Sanitary Sewer Special Assessment District
Full Environmental Assessment
Part 3 Attachment

sewer must be installed at a depth sufficient to allow for gravity flow from the residences. Due to minimum depth requirements, it is anticipated that competent bedrock will be encountered along the proposed sewer route. This is primarily the situation for a 300' section of Kirby Lane North where approximately 500 cubic yards of rock will have to be removed. Additional rock removal will be required along Grace Church Street. However, the amount of rock in this portion of the project varies depending upon the alignment selected.

Selection of the second design route as described in the Project Description section will make it possible to reduce the amount of rock that is to be removed along Grace Church Street and thus offer some level of mitigation.

The City of Rye (Kirby Lane North and Grace Church Street area) is an established community that is predominantly residential in character. In order to advance desired projects, such as providing public sewer service, potential impacts to residential communities are often a concern. This impact will be considered in the final design and mitigated to the maximum extent practical, while also attempting to meet design and cost criteria.

The impacts described above are all temporary in nature. They typically are a direct result of construction activities. Upon completion of the installation of the sewer and water mains, the impacts will no longer exist.

Provisions for sewers will offer slight inducement to growth in the form of redevelopment of existing residences. Such redevelopment would require compliance with all existing City plans and codes, including the use, bulk, and dimensional requirements of the R-1 Residential district.

Environmental Benefits of the Project

This project has the potential of providing substantial environmental benefits to the community and areas beyond. The properties on Kirby Lane North and Grace Church Street are some of the few remaining that employ sanitary sewer treatment systems (SSTS) to handle domestic wastes. These existing SSTS (septic systems) which were designed and installed several decades ago no longer meet current Westchester County Department of Health or New York State Department of Health codes and requirements.

While there have been no "reported" problems with the existing SSTS, ground water and surface water contamination is a potential threat where there is a failing SSTS. Since the project area drains to the Mill Pond, which connects to the Long Island Sound, the installation of sanitary sewers to service the houses within the project area will eliminate the potential for contamination from SSTS.

APPENDIX A

LWRP Coastal Consistency Form



Coastal Assessment Form

City of Rye, New York Planning Department

1051 Boston Post Road, Rye, New York 10580

Phone: (914) 967-7167

Fax (914) 967-4641

www.ci.rye.ny.us/planning.htm

A. INSTRUCTIONS (Please print or type all answers)

1. Applicants or in the case of direct actions, city agencies, shall complete this Coastal Assessment Form (CAF) for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by a city agency in making a determination of consistency.
2. Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the City Clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.
3. If any question in Section C on this form is answered "yes", then the proposed action may effect the achievement of the LWRP policy standards and conditions contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Type of city agency action (check appropriate response):
 - (a) Directly undertaken (e.g capital construction, planning activity, agency regulation, land transaction): _____
 - (b) Financial assistance (e.g. grant, loan, subsidy): Special Assessment District
 - (c) Permit, approval, license, certification: _____
 - (d) Agency undertaken action: City of Rye City Council
2. Describe nature and extent of action:
Please Refer to EAF
3. Location of action (including street or site description):
Please Refer to EAF
4. Size of site: Please Refer to EAF
5. Present land use: Please Refer to EAF
6. Present zoning classification: Please Refer to EAF



Coastal Assessment Form

City of Rye, New York Planning Department

Page 2 of 5

7. Describe any unique or unusual forms on the project site (i.e. bluffs, dunes, swales, ground, depressions, other geological formations):
Please Refer to EAF
8. Percentage of site which contains slopes of 15% or greater Please Refer to EAF
9. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?
- (a) Name: Please Refer to EAF
- (b) Size (in acres): Please Refer to EAF
10. If an application for the proposed action has been filed with the city agency, the following information shall be provided:
- (a) Name of applicant: Please Refer to EAF
- (b) Mailing address: Please Refer to EAF
- (c) Telephone number: Area Code: Please Refer to EAF
- (d) application number, if any: Please Refer to EAF
11. Will the action be directly undertaken, require funding, or approval by a state or federal agency?
- ☒ Yes ☐ No If yes, which state or federal agency?
- EFC Funding Possible



Coastal Assessment Form

City of Rye, New York Planning Department

Page 3 of 5

C. COASTAL ASSESSMENT Check either "yes" or "no" for each of the following:

	YES	NO
1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map?:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(a) Significant fish or wildlife habitats?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Scenic resources or local or statewide significance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Natural protective features in an erosion hazard area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Note: If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.</i>		
2. Will the proposed action have a <u>significant adverse effect</u> upon:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(a) Commercial or recreational use of fish and wildlife resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Scenic quality of the coastal environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Development of future, or existing water dependent uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Land or water uses within a small harbor area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Stability of the shoreline?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Surface or groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Existing or potential public recreation opportunities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Structures, sites or districts of historic, archaeological or cultural significance to the city, State or nation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed action <u>involve</u> or <u>result</u> in any of the following:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(a) Physical alteration of land along the shoreline, land under water or coastal waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Physical alteration of two (2) acres or more of land located elsewhere in the coastal area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Expansion of existing public services or infrastructure in undeveloped or low density area of the coastal area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Energy facility not subject to Article VII or VIII of the Public Service Law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Mining, excavation, filling or dredging in coastal waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Reduction of existing or potential public access to or along the shore?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Sale or change in use of publicly-owned lands located on the shoreline or underwater?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Development within a designated flood or erosion hazard area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(j) construction or reconstruction of erosion protective structures?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(k) Diminished surface or groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Coastal Assessment Form

City of Rye, New York Planning Department

Page 4 of 5

	YES	NO
(l) Removal of ground cover from the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Project		
(a) If project is to be located adjacent to shore:	<input type="checkbox"/>	<input type="checkbox"/>
(1) Will water-related recreation be provided?	<input type="checkbox"/>	<input type="checkbox"/>
(2) Will public access to the foreshore be provided?	<input type="checkbox"/>	<input type="checkbox"/>
(3) Does the project require a waterfront site?	<input type="checkbox"/>	<input type="checkbox"/>
(4) Will it supplant a recreational or maritime use?	<input type="checkbox"/>	<input type="checkbox"/>
(5) Do essential public services and facilities presently exist at or near the site?	<input type="checkbox"/>	<input type="checkbox"/>
(6) Is it located in a flood prone area?	<input type="checkbox"/>	<input type="checkbox"/>
(7) Is it located in an area of high erosion?	<input type="checkbox"/>	<input type="checkbox"/>
(b) If the project site is publicly owned:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) If located in the foreshore, will access to those and adjacent lands be provided?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Will it involve the siting and construction of major energy facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into coastal facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is the project site presently used by the community neighborhood as an open space or recreation area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the present site offer or include scenic views or vistas known to be important to the community?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Is the project site presently used for commercial fishing or fish processing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) will the surface area of any waterways or any wetland areas be increased or decreased by the proposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Will the project involve any waste discharges into coastal waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Does the project involve surface or subsurface liquid waste disposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(j) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(k) Does the project involve shipment or storage of petroleum products?	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Coastal Assessment Form

City of Rye, New York Planning Department

Page 5 of 5

- | | YES | NO |
|---|-------------------------------------|-------------------------------------|
| (l) Does the project involve discharge of toxics, hazardous substances or other pollutants into coastal waters? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (m) Does the project involve or change existing ice management practices? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (n) Will the project affect any area designated as a tidal or freshwater wetland? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (o) Will the project alter drainage flow, patterns or surface water runoff on or from the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (p) Will best management practices be utilized to control storm water runoff into coastal waters? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (q) Will the project utilize or affect the quality or quantity of sole source or surface water supplies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (r) Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

D. REMARKS OR ADDITIONAL INFORMATION. (Add any additional sheets necessary to complete this form.)
Please Refer to EAF

I certify that the information provided above is true to the best of my knowledge.

Preparer Name Susan K. Fasnacht, PE Date 12/8/04

Signature *Susan K. Fasnacht* Title V.P. Chas. H. Sells, Inc.
Preparer

APPENDIX B

Application for Determination of LWRP Consistency



LWRP Consistency Application

City of Rye, New York Planning Department

1051 Boston Post Road, Rye, New York 10580

Phone: (914) 967-7167

Fax (914) 967-4641

www.ci.rye.ny.us/planning.htm

The undersigned applicant hereby applies to the Rye City Council for determination of consistency in accordance with Chapter 73, Coastal Zone Management Waterfront Consistency review, of the Rye City Code, and, therefore, represents and states as follows:

A. Application Name: Kirby Lane North Sanitary Sewer Special Assessment District

B. Applicant (If Applicant is not owner, attach document confirming interest in property):

Name: City of Rye
Address: 1051 Boston Post Road
City: Rye State: NY Zip: 10580
Phone: 914.967.7676
Fax: 914.967.4641
Email:

C. Property Owner:

Name: Same
Address:
City: State: Zip:
Phone:
Fax:

D. Architect/Landscape Architect/Engineer or Surveyor:

Name: Chas. H. Sells, Inc.
Address: 555 Pleasantville Road, South Building
City: Briarcliff Manor State: NY Zip: 10510
Phone: 914.747.1120
Fax: 914.747.1956

For Planning Department Use Only:

Application Receipt Date:

--

Application No.:
Application No.:
Fee Check No.:
Prior Approvals:
Prior Approvals:



LWRP Consistency Application

City of Rye, New York Planning Department

Page 2 of 10

F. Property Information:

Street Address:	Kirby Lane North and Grace Church Street (bounded by Forest Ave. and Guion St.)		
City:	Rye	State:	NY Zip: 10580
Property Area (Acres):			
Tax Map Designation:	Sheet:	Block:	Lot(s):
	Sheet:	Block:	Lot(s):
	Sheet:	Block:	Lot(s):
Zoning District:	R-1		
Flood Insurance Zone:			

G. Fee (as per City of Rye Fee Schedule)

Please include application fee and indicate amount here: \$ _____

H. City Naturalist's Determination:

Please attach a copy of the City Naturalist's wetland determination (separate form required). N/A

I. Coastal Assessment Form

Please attach a completed copy of the Coastal Assessment Form required by Chapter 73 (separate form required).

J. Statement of Proposed Work and Purpose Thereof:

Please provide a statement of the proposed work and purpose thereof (If the space provided is insufficient, please attach additional sheet(s)):

The installation of 2,800 linear feet of 8" gravity sewer and 1,600 linear feet of 4" force main to provide public sewer service to thirty (30) homes along Kirby Lane North and Grace Church Street. As part of this project, a 6" water main along Grace Church Street may be abandoned and removed to make room for the 8" gravity sewer. There is also a proposal to extend the existing 8" water main that runs along a portion of Kirby Lane North to provide service to twelve (12) residences, which currently use wells for potable water supply. Installation of sewer laterals and water service connections from existing residence to the proposed sewer within the entire project area and water line on North Kirby Lane will be the responsibility of private property owners, which may choose to defer such installation to a later date. After installation of the water main and all appurtenances, Kirby Lane North and portions of Grace Church Street will be resurfaced.



LWRP Consistency Application

City of Rye, New York Planning Department

Page 3 of 10

K. Evaluation of Consistency with LWRP Policies:

Actions to be undertaken within the Coastal Area must be evaluated for consistency in accordance with the LWRP policy standards and conditions, which are explained and described in Section III of the Rye City LWRP, a copy of which is on file in the City Clerk's and City Planner's Office and available for inspection during normal business hours. In the case of direct actions, the agency shall also consult with Section IV of the LWRP in making their consistency determination.

In making its determination, the City Council must consider the following factors, and issue written findings with respect to those factors that are applicable. Please give any pertinent information that will permit the Planning Commission to make a determination that this action is consistent with the following policies:

- (1) Revitalize deteriorated and under utilized waterfront areas (Policy 1).

Will not adversely impact this LWRP Policy

- (2) Retain and promote recreational water-dependent uses (Policy 2).

Will not adversely impact this LWRP Policy

- (3) Strengthen the economic base of smaller harbor areas by encouraging traditional uses and activities (Policy 4).

Will not adversely impact this LWRP Policy



LWRP Consistency Application

City of Rye, New York Planning Department

Page 4 of 10

- (4) Ensure that development occurs where adequate public infrastructure is available to reduce health and pollution hazards (Policy 5).

Will not adversely impact this LWRP Policy

- (5) Streamline development permit procedures (Policy 6).

Will not adversely impact this LWRP Policy

- (6) Protect significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies 7, 7A, 7B and 8).

Will not adversely impact this LWRP Policy

- (7) Maintain and expand commercial fishing facilities to promote commercial and recreational fishing opportunities (Policies 9 and 10).

Will not adversely impact this LWRP Policy



LWRP Consistency Application

City of Rye, New York Planning Department

Page 5 of 10

- (8) Minimize flooding and erosion hazard through non-structural means, carefully selected, long-term structural measures and appropriate siting of structures (Policies 11, 12, 13, 14, 16, 17, and 28).

Will not adversely impact this LWRP Policy

- (9) Safeguard economic, social and environmental interests in the coastal area when major actions are taken (Policy 18).

Will not adversely impact this LWRP Policy

- (10) Maintain and improve public access to the shoreline and to water-related recreational facilities while protecting the environment (Policies 2, 19, 19A, 19B, 20, 21 and 22).

Will not adversely impact this LWRP Policy

- (11) Protect and restore historic and archaeological resources (Policy 23).

Will not adversely impact this LWRP Policy



LWRP Consistency Application

City of Rye, New York Planning Department

Page 6 of 10

- (12) Protect and upgrade scenic resources (Policy 25).

Will not adversely impact this LWRP Policy

- (13) Site and construct energy facilities in a manner which will be compatible with the environment and contingent upon the need for a waterfront or water location (Policies 27, 29 and 40).

Will not adversely impact this LWRP Policy

- (14) Prevent ice management practices which could damage significant fish and wildlife and their habitats (Policy 28).

Will not adversely impact this LWRP Policy

- (15) Protect surface and groundwaters from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, 32, 33, 34, 35, 36, 37 and 38).

Will not adversely impact this LWRP Policy



LWRP Consistency Application

City of Rye, New York Planning Department

Page 7 of 10

- (16) Perform dredging and dredge spoil disposal in a manner protective of natural resources. (Policies 15 and 35).

N/A

- (17) Handle and dispose of hazardous wastes and effluents in a manner which will not adversely affect the environment nor expand existing landfills (Policy 39).

N/A

- (18) Protect air quality (Policies 41, 42 and 43).

Will not adversely impact this LWRP Policy

- (19) Protect tidal and freshwater wetlands (Policy 44).

Will not adversely impact this LWRP Policy



LWRP Consistency Application

City of Rye, New York Planning Department

Page 8 of 10

L. Evaluation of Actions Inconsistent with LWRP Policies:

If it is determined that the action would not be consistent with one or more of the LWRP policy standards and conditions, such action shall not be undertaken unless the determining agency makes a written finding with respect to the proposed action. If applicable, please give any pertinent information that will permit the Planning Commission to make a determination on the following: (If the space provided is insufficient, please attach additional sheet(s))

- (1) No reasonable alternatives exist which would permit the action to be undertaken in a manner that would not substantially hinder the achievement of such LWRP policy standards and conditions.

Consistent with LWRP Policies

- (2) The action would be undertaken in a manner that will minimize all adverse effects on such LWRP policy standards and conditions.

Consistent with LWRP Policies

- (3) The action will advance one or more of the other LWRP policy standards and conditions.

Consistent with LWRP Policies



LWRP Consistency Application

City of Rye, New York Planning Department

Page 9 of 10

- (4) The action will result in an overriding city, regional or statewide public benefit.

Consistent with LWRP Policies

M. Regulatory Compliance

1. Will the proposed project place any fill or a structure within a Flood Zone? ☐ Yes ☒ No
(If yes, Chapter 100, Floodplain Management, may apply)
2. Is the proposed activity located within a designated preservation area? ☐ Yes ☒ No
(If yes, Chapter 117, Landmarks Preservation, may apply)
3. Is a fence or wall proposed as part of the application? ☐ Yes ☒ No
(If yes, Chapter 90, Fences and Walls, may apply)
4. Does the application also involve site plan approval? ☐ Yes ☒ No
(If yes, Chapter 197, Zoning, may apply)
5. Does the application also involve the subdivision of a property? ☐ Yes ☒ No
(If yes, Chapter 170, Subdivision of Land, may apply)

N. Prior Approvals – Application Checklist for Permits:

To facilitate the approval process, the City of Rye requests that applicants indicate below all permit applications that are **pending**, have been **approved** or have been **rejected** for the subject property. The following checklist will allow the City authorities to be more familiar with properties that are the subject of the current application. Please indicate all applications submitted for the property in question, including those that were prepared for projects separate from the current one. Intentionally omitting any items from this checklist is cause for delay or rejection of the application(s) being considered.

Not applicable at this time



LWRP Consistency Application

City of Rye, New York Planning Department

Page 10 of 10

Board, Commission or Inspector:	Date(s) of Prior Approval(s):	City Identifier Reference(s):	Previous Action(s) on Application(s):	New Permit(s) Applied for: (Check Boxes)
Appeals				<input type="checkbox"/>
Architectural Review				<input type="checkbox"/>
Conservation				<input type="checkbox"/>
Landmarks				<input type="checkbox"/>
Planning Commission				<input type="checkbox"/>
Building Inspector				<input type="checkbox"/>
City Engineer				<input type="checkbox"/>
Naturalist				<input type="checkbox"/>
City Planner				<input type="checkbox"/>
Other:				<input type="checkbox"/>

O. Signatures

By signing this application the applicant attests that to the best of his or her knowledge all information provided herein is accurate and truthful. The signature of the applicant and owner also grants consent to having any City Staff or City Board or Commission members responsible for of the review or approval of this application(s) to enter the property of the subject application.

Susan K. Fernock
Applicant Signature

12/8/04
Date

Property Owner Signature(s)

Date

FIGURES

Kirby Lane Sewer Project



Proposed Sewer Service Districts

- Buildings
- Property Boundary (Approx.)
- Driveway
- Road/Shop
- Proposed Sewer District
- Original Sewer District Proposal
- Water

0 100 200 300 400 500 600 700 800 900 1000 Feet

Last Revised: June 2004



Note: This map is intended for general planning purposes only.